

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 24, 1997 LB 465

not that bullet probably...my experience at least is that that bullet would go through that individual, and if there is someone behind them, it is, obviously, it is very, very...it is very likely that that bullet could hit them.

SENATOR HILLMAN: Okay, then one other thing I am wondering. I don't know the difference, I mean I do not know currently...I get a lot of mail from home saying, number one, that they are already carrying concealed weapons, but the other is that they are carrying a concealed weapon in their automobile. They keep it under the seat of their car, and so forth. If they didn't keep that under the seat of their car, they had the gun laying out, couldn't they currently carry it?

SPEAKER WITHEM: One minute.

SENATOR HILLMAN: And what is...what constitutes concealed versus unconcealed or nonconcealed?

SENATOR WILL: The general...the common law rule, as I recall, that has been interpreted by courts is that concealed versus nonconcealed is an issue of plain view, and I...and I'll be, you know, I'll be honest with you, that is something that I might be able to be educated on, but the common law rule is that if there is something in plain view of a police officer that would stop that car, then that is not concealed. So, for example, when I go hunting and I have a shotgun on the back seat, obviously, we're talking about handguns now, but if I have a shotgun on the back seat, or if I have a pistol on the front seat that I take along when I go hunting that's in plain view, and would not fall under the definition of concealed, as far as my understanding goes, and if you have it in the glove compartment, if you have it, you know, tucked under your vest, then that is a different deal. That would be concealed. But my understanding is that if I have a hand...

SPEAKER WITHEM: Time, Senator.

SENATOR WILL: ...if I have a handgun that's on the seat, that's not concealed.

SPEAKER WITHEM: Senator Robinson.